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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/042,787

10/24/2001

Alan Bochan

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EXAMINER

VARGOT, MATHIEU D

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/042,787

Applicant(s)

BOCHAN et al.

Examiner

H. VAR60T

Group Art Unit

1732

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-19 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-19 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some\* ☐ None of the:
  - ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

Office Action Summary

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Heinmeyer et al -854 in view of Jackson et al (see col. 1, lines 44-45; the formula at the bottom of column 1; col. 2, lines 1-29).

The primary reference discloses the basic claimed advanced epoxy and process for preparing an advanced epoxy material lacking essentially the use of an iminium salt catalyst as the reaction promoter. For instance, see column 2, lines 45-58 for the equivalent and average molecular weight of the product and the ratio of aromatic hydroxy groups to epoxide groups; col. 2, line 62 through col. 3, line 6 for the extruder temperatures and reaction times; col. 4, lines 38-42 for the solvents used; and columns 3 and 4 for the vicinal epoxy group molecules and the linking material molecules. Jackson et al discloses the instant iminium salt catalyst as a promoter for the reaction between an epoxy group and a reactive linking group, and teaches that such a catalyst has good storage stability and low sensitivity to moisture--see Jackson et al, column 1, lines 41-45. It would have been obvious to one of ordinary skill in the art at the time of invention to have substituted the catalyst taught in the primary reference with the one disclosed in Jackson et al for the attendant benefits as taught in Jackson et al --namely, a good storage stability. Clearly, this would be advantageously employed in making an advanced epoxy material with a low sensitivity

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to moisture. The primary reference discloses the epoxy resin as a coating composition--see passage bridging columns 1 and 2.

2. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heinmeyer et al -854 in view of Jackson et al and Heinmeyer et al -156 (see abstract).

Heinmeyer et al -854 and Jackson et al have been discussed in paragraph 1, supra, the references disclosing the basic claimed method lacking essentially a clear showing of feeding chain terminators to the extruder. Heinmeyer et al -156 discloses this and discloses that the chain terminators would be added to the extruder at the point where the desired reaction has taken place--see column 7, lines 6-9. Since the primary reference (col. 7, lines 21-24) refers to Heinmeyer et al -156 in teaching that the extrusion process disclosed therein is suitable, it certainly would have been obvious to one of ordinary skill to employ chain terminators as taught in Heinmeyer et al -156 in the process as disclosed in Heinmeyer et al -854 to form the desired reaction product.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Vargot whose telephone number is 703 308-2621.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0661.

M. Vargot

September 1, 2003

*M. Vargot*  
MATHIEU D. VARGOT  
PRIMARY EXAMINER  
GROUP 1300

9/1/03